

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EQUAL EMPLOYMENT OPPORTUNITY  
COMMISSION,

Plaintiff,

-against-

LONDON MANHATTAN CORP.  
d/b/a LONDON MEAT CO., INC.

Defendant.

DECLARATION OF  
JOEL E. DAVIDSON  
IN SUPPORT OF  
MOTION TO INTERVENE

Case No. 07 Civ. 8249 (KNF)

JOEL E. DAVIDSON, an attorney duly licensed to practice law before this court, declares under penalty of perjury that the following is true and correct pursuant to 28 U.S.C. §1746:

1. I am a partner in the firm of Davidson & Grannum, LLP, attorneys for David Case (“Proposed Intervenor”) and am fully familiar with the pleadings in this case. I submit this Declaration in support of the instant Motion to Intervene.

2. In the course of their employment with Defendant, London Manhattan Corp., the Proposed Intervenor was subjected to discrimination and retaliation on the basis of his disability and retaliation that adversely affected the terms, conditions, privileges and benefits of his employment.

3. The Proposed Intervenor filed timely Charges of Discrimination with the United States Equal Employment Opportunity Commission (“EEOC”). In its determination, the EEOC found reasonable cause to believe Proposed Intervenor’s allegation to be true.

4. Plaintiff, EEOC, is authorized under Title VII of the Civil Rights Act of

1964, 42 U.S.C. 2000e et seq., as amended (Title VII) to commence suit against defendant London Manhattan Corp. in connection with individual charges of discrimination to Title VII. Last year, the EEOC timely filed the present complaint, Case No. 07 Civ. 8249 (KNF) concerning charges filed with the EEOC by the Proposed Intervenor.

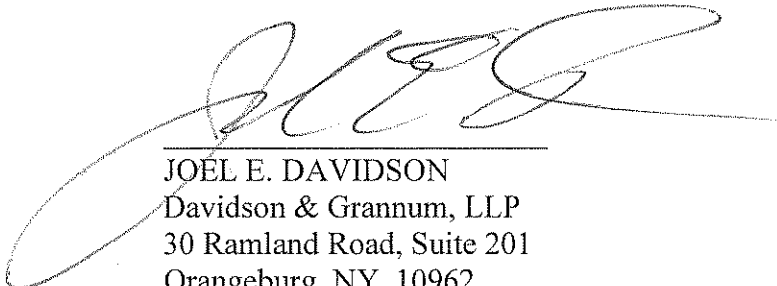
5. As set forth in the accompanying Memorandum of Law, the Proposed Intervenor has the right to intervene in this lawsuit under Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§2000 et seq. and Fed.R.Civ.P.24(a)(1).

6. Proposed Intervenor's motion is timely. The instant case is very early in the litigation and no discovery has taken place.

7. The complaint in intervention is attached to his Declaration as Exhibit "A".

Wherefore, the Proposed Intervenor respectfully requests this Court to grant this motion to intervene as Plaintiff in the present case.

Dated: New York, New York  
February 15, 2008



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